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#620

BILL NO. G-96-*09-24*

GENERAL ORDINANCE NO. G-*27-96*

AN ORDINANCE for the purpose of
vacating a dedicated utility easement.

WHEREAS, a petition to vacate a dedicated utility easement within the City of Fort Wayne, Indiana, (as more specifically described below) was duly filed with the City Clerk of the City of Fort Wayne, Indiana; and

WHEREAS, said Common Council of the City of Fort Wayne, Indiana, duly held a public hearing and approved said petition, as provided in I.C. 36-7-3-12.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate a dedicated utility easement within the City of Fort Wayne, Indiana, more specifically described as follows, to-wit:

A 20 foot easement lying 10 feet on either side of the following line:

Part of Lot Number 69 and part of Lot Number 70 in Centennial Industrial Park, Section X, as recorded in the plat thereof, in the Office of the Recorder of Allen County, Indiana, being more particularly described as follows:

Commencing at the North corner of Lot Number 69 and the Southeast corner of Lot Number 70 in Centennial Industrial Park, Section X; thence Southwest along the North line of Lot Number 69 and the South line of Lot Number 70 a distance of 20.0 feet to the true point of beginning; thence Southwest along the North line of Lot Number 69 and the South line of Lot Number 70 a distance of 382.8 feet to a point 20 feet East of the West line of Lot Number 70, said point being the point of termination.

and which vacating allows the dedicated utility easement to revert to the ownership of the adjacent property owners.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.

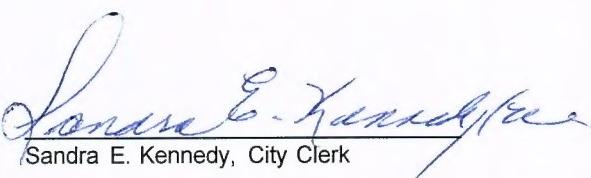
Thomas H. Burns
COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

J. Timothy McAulay
J. TIMOTHY MCGAULAY, CITY ATTORNEY

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** Public hearing to be held on Tuesday
the 8th day of October, 1996,
in the Council Chambers.


Sandra E. Kennedy
Sandra E. Kennedy, City Clerk

Read the first time in full and on motion by Nayhurst,
and duly adopted, read the second time by title and referred to the
Committee on Regulations (and the City Plan Commission
for recommendation) and Public Hearing to be held after due legal notice, at
the Common Council Conference Room 128, City-County Building, Fort
Wayne, Indiana, on Tuesday, the 8th day of October, 1996, at 5:30 o'clock
P.M., E.S.T.

DATED: 9-24-96

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Nayhurst,
and duly adopted, placed on its passage. PASSED
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>7</u>			<u>2</u>
BENDER	<u>✓</u>			
CRAWFORD	<u>✓</u>			
EDMONDS				<u>4</u>
HALL	<u>✓</u>			
HAYHURST	<u>✓</u>			
HENRY	<u>✓</u>			
LUNSEY				<u>4</u>
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			

DATED: 10-8-96

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. G-27-96
on the 8th day of October, 19 96

ATTEST:

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

(SEAL)

DD Schmidt

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 9th day of October, 19 96,
at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 11th day of October,
19 96, at the hour of 8:00 o'clock A M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR



Vacation Petition

City Clerk / Room 122 City County Building / Fort Wayne, IN 46802 / (219) 427-1208
PORT W.-WAYNE, IND.

RECEIVED

SEP 04 1996

SANDRA E. KENNEDY
CITY CLERK

X 620
I/We do hereby petition to vacate the following:

Easement

Public Right-of-Way (street or alley)

More particularly described as follows:

See Exhibit "A" attached hereto and made a part hereof.

(Please attach a legal description of the property requested to be vacated, along with a survey or other acceptable drawing showing the property.)

The reasons for the proposed vacation are as follows:

Relocation of easement along applicant's property line.

(If additional space is needed please attach a separate page)

The name and addresses of all adjacent property owners must also be provided by the applicant.

Property owner('s) name(s): TMD, LLC

Street Address: 6007 Stellhorn Road

City: Fort Wayne State: IN Zip: 46815 Phone: 485-7509

Property owner('s) name(s):

Street Address:

City: _____ State: _____ Zip: _____ Phone: _____

Property owner('s) name(s):

Street Address:

City: _____ State: _____ Zip: _____ Phone: _____

Property owner('s) name(s):

Street Address:

City: _____ State: _____ Zip: _____ Phone: _____

Property owner('s) name(s):

Street Address:

City: _____ State: _____ Zip: _____ Phone: _____

(If additional space is needed please attach a separate page)

Applicants Name (if different from above): E & D ENTERPRISES

Street Address: Chessex Central, Suite 3; 24 Phoenixville Pike

City: Malvern State: PA Zip: 19355 Phone:

610-695-0995

Vacation Petition
page two

I/We, your petitioners, file this petition pursuant to the authority granted in Indiana Code, and provisions of local ordinance. I/We agree to abide by all provisions of the Fort Wayne Zoning Ordinance and/or Subdivision Control Ordinance, as well as all procedures and policies of the Fort Wayne City Plan Commission as those provisions, and policies relate to the handling and disposition of this petition. I/We also certify that this information is true and accurate to the best of my/our knowledge.

E & D ENTERPRISES

By: DONALD REENTS DONALD REENTS 8/12/96
Signature Printed Name Date
DONALD REENTS, President Chessex Central, Suite 3
of Canoga Corp., General Partner 24 Phoenixville Pike
of E & D Enterprises Address

ADJACENT PROPERTY OWNER:
TMD, LLC

By: DAN VOTAW Malvern, Pennsylvania 19355
Signature Printed Name Date
Dan Votaw 8/23/96

6007 Stellhorn Road
Address

Fort Wayne, Indiana 46815
City/state/zip

(If additional space is needed please attach a separate page)

Agents Name (Please print legibly): HARDING DAHM & COMPANY
Attn: James E. Harding
Street Address: 200 East Main Street; Post Office Box 11448
City: Fort Wayne State: IN Zip: 46858 Phone: 219/423-4311

Agent's Attorney: BAKER & DANIELS
Attn: Jon A. Bomberger
111 East Wayne Street, Suite 800
Fort Wayne, Indiana 46802
Telephone: 219/424-8000

NOTICE:

- Legal description is to be of the area to be vacated and must be complete and correct. If necessary a licensed surveyor's legal description may be required.
- All adjacent property owner's signatures must accompany this application.
- Applicant is hereby informed that in the case of a utility being located in a public way or easement, the applicants may be required to bear the cost of relocation, or of providing a replacement easement or easements as needed.

For Office Use Only:

Receipt #:	Date Filed:
Map #:	Reference #:

EXHIBIT "A"

A 20-foot easement lying 10 feet on either side of the following described line:

Part of Lot Number 69 and part of Lot Number 70 in Centennial Industrial Park, Section X, as recorded in the plat thereof, in the Office of the Recorder of Allen County, Indiana, being more particularly described as follows:

Commencing at the North corner of Lot Number 69 and the Southeast corner of Lot Number 70 in Centennial Industrial Park, Section X; thence Southwest along the North line of Lot Number 69 and the South line of Lot Number 70 a distance of 20.0 feet to the true point of beginning; thence Southwest along the North line of Lot Number 69 and the South line of Lot Number 70 a distance of 382.8 feet to a point 20 feet East of the West line of Lot Number 70, said point being the point of termination.

CERTIFICATE OF SURVEY

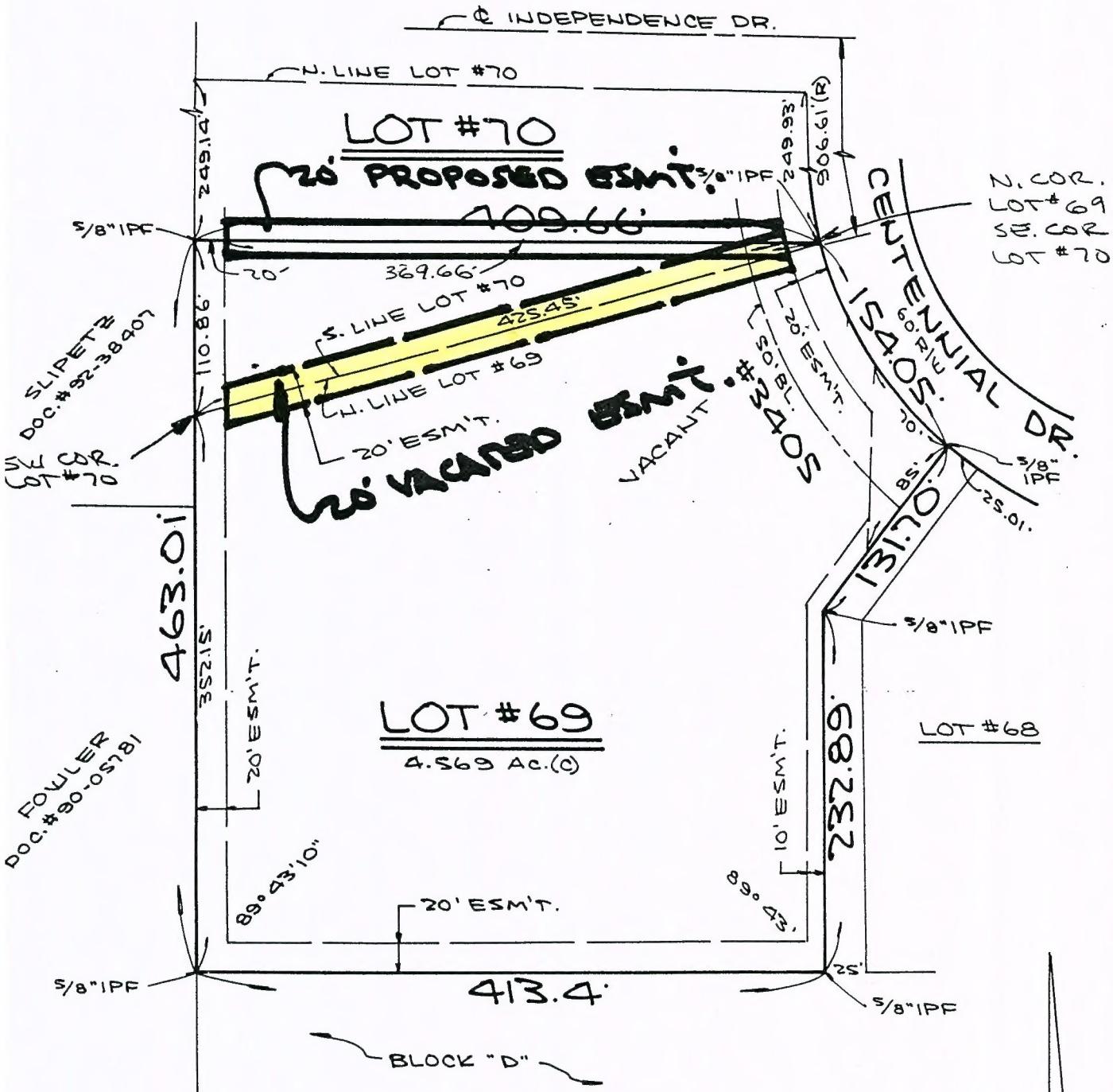
GREGORY L. ROBERTS PLS S0548 IN
KENNETH W. HARRIS PLS 9500021 IN

DONOVAN ENGINEERING INC
2020 INWOOD DRIVE
EXECUTIVE PARK
FORT WAYNE, INDIANA 46815

JOHN R. DONOVAN PE 9173 PLS 9921 IN
FRANCIS X. MUELLER PLS S0193 IN

The undersigned has made a re-survey of the real estate located in ALLEN County, Indiana, as shown and described below. The description of the real estate is as follows:

Lot numbered 69 and Lot numbered 70 except the North 249.14 feet, in Centennial Industrial Park Section X, as recorded in the plat thereof in the Office of the Recorder of Allen County, Indiana.



NOTE: According to the Flood Insurance Rate Map (FIRM) number 18003C0260 E, dated Feb. 16, 1995, the herein described real estate is located in Zone "X", and is not in a flood hazard area.

Vacation Review & Analysis

Vacation Petition Number: 620

12-96-09-24

Location: 3405 Centennial Drive

Land Area: Approximately 0.169 acres

Zoning: M-1 & M-2

Surroundings:	North	M-2	Industrial
	South	M-1	Industrial
	East	M-1	Industrial
	West	R-1	Residential

Reason for request (if given): Relocation of easements to allow development.

Planning Staff Considerations:

This plat was approved in August of 1995 and recorded on August 9, 1995. Lot #69, also known as 3405 Centennial Drive has a 20 foot utility and surface drainage easement located along its northerly property line. Easements are also located along its other property lines.

As is sometimes common with industrial plats, the developer creates lots of a certain size only to find that the market wants a different size parcel. In this case lot 69 and a portion of lot 70 were purchased for development. As the plat showed a surface drainage and utility easement along the north property line, the intended use of the site requires relocating the easement to the north. The abutting owner has signed the petition indicating their consent.

Approval of the vacation should not negatively impact property values, nor should it hinder growth and orderly development of the area. The petitioners are willing to provide a replacement or relocated easement (to the north along the new property/ownership line). Any utility need should be addressed by this proposed relocated easement. The petition will not impact any public access concerns as the subject of the vacation is a utility and surface drainage easement.

The conditions in the area have changed as evidenced by the manner in which the parcels were purchased. If the easement is left where it is currently located, it would potentially restrict the proposed development of the parcel.

Recommendations: Conditional Approval, contingent upon the petitioner providing replacement utility and surface drainage easements as needed, and for the following reasons:

- 1) Approval will not negatively impact access to public streets or public places. The subject of the petition is a utility and surface drainage easement.
- 2) Conditions in the area have changed since the original grant of the easement as evidenced by the manner in which lots were purchased. The owned parcels no longer correspond to the platted lot lines.
- 3 Property values in the area will not be diminished by the vacation. The petitioner is willing to provide a replacement utility and surface drainage easement.

City Plan: IC requires that any public utility occupying the public way or easement shall not be deprived of the use for the location and operation of its facilities. The petitioner should provide a replacement utility and surface drainage easement as needed.

Traffic Eng. : Approved, no objection.

Street Eng. : Approved.

Water Eng. : Approved.

WPC Eng. - Sanitary : Approved, no easement is required.

WPC Eng. - Storm : Approved.

Street Light Eng. : Approved.

Park Dept. : OK to vacate.

Technical Services : Approved.

Notification of proposed easement vacation was sent to NIPSCO, GTE North, Comcast and AEP on 09/23/96. Responses from them were requested within ten (10) days.

ORIGINAL

ORIGINAL

#620

DIGEST SHEET

TITLE OF ORDINANCE Utility Easement Vacation

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE A 20 foot utility easement located on Part of Lot 69 & Lot 70 in Centennial Industrial Park Section X.

12-96-09-24

EFFECT OF PASSAGE Property is currently a dedicated utility easement. Property will be vacated and revert to the use of the adjacent property owners.

EFFECT OF NON-PASSAGE Property will remain a dedicated utility easement.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE) _____

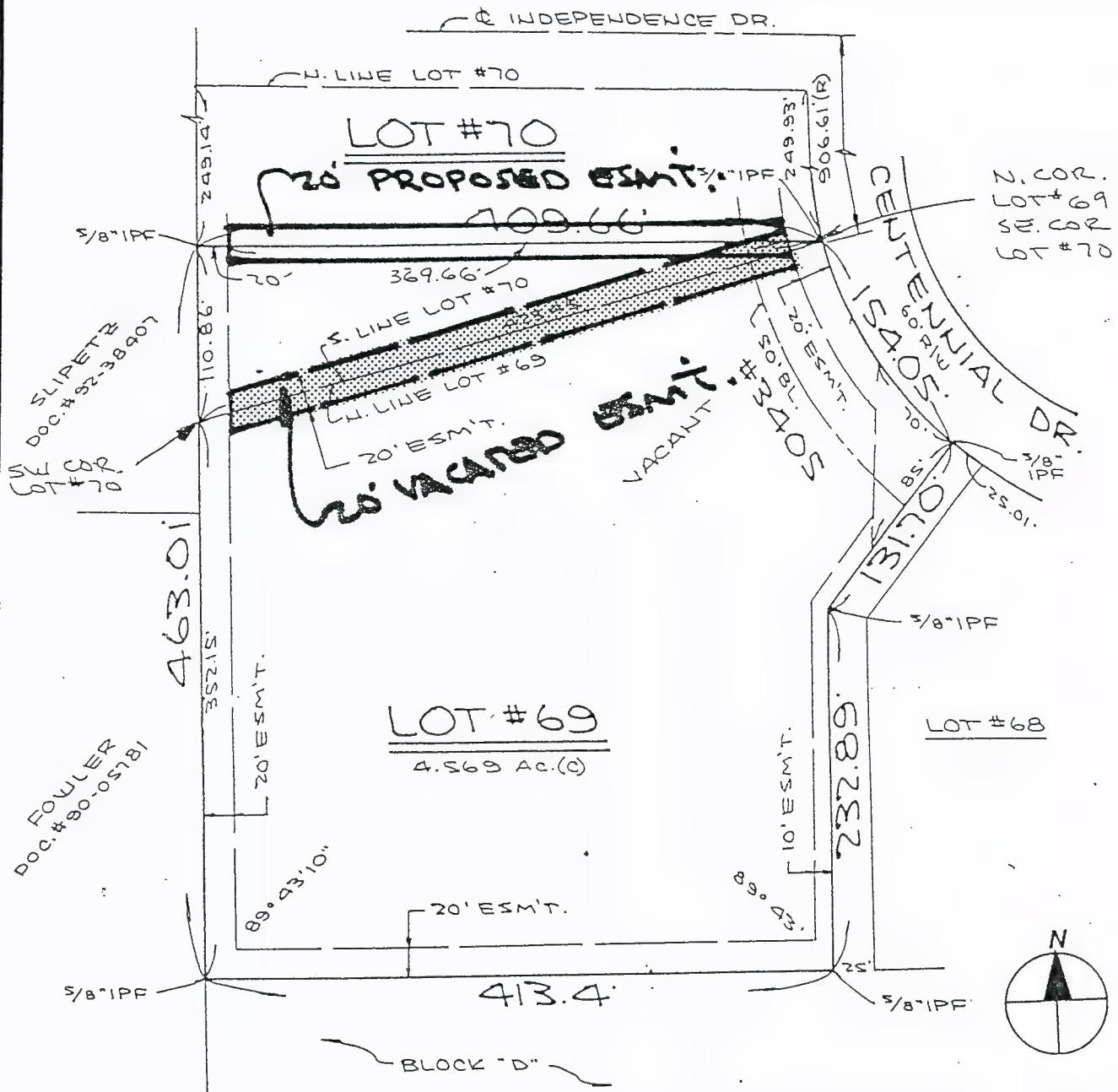
VACATION PETITION

AREA MAP

CASE NO. #620

The undersigned has made a re-survey of the real estate located in ALLEN County, Indiana, as shown and described below. The description of the real estate is as follows:

Lot numbered 69 and Lot numbered 70 except the North 249.14 feet, in Centennial Industrial Park Section X, as recorded in the plat thereof in the Office of the Recorder of Allen County, Indiana.



COUNCILMANIC DISTRICT NO. 3

Map No. I-22
LW 9-11-96

BILL NO. G-96-09-24

620

REPORT OF THE COMMITTEE ON
REGULATIONS
REBECCA J. RAVINE - THOMAS E. HAYHURST - CO-CHAIR
ALL COUNCIL MEMBERS

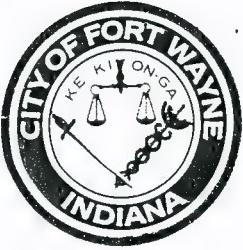
WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (RESOLUTION) for the purpose of
vacating a dedicated utility easement

HAVE HAD SAID (ORDINANCE) (RESCOLUTION) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (RESCOLUTION)

DATED: 10-8-96

Sandra E. Kennedy
City Clerk



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

September 25, 1996

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of September 28, 1996, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. G-96-09-23
Utility Easement Vacation

Bill No. G-96-09-24
Utility Easement Vacation

Please send us 3 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 2

FORT WAYNE COMMON COUNCIL
NOTICE OF A PUBLIC HEARING
(Bill No. G-96-09-24)

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON TUESDAY, OCTTOBER 8, 1996, AT 5:30 P.M., IN THE COMMON COUNCIL CONFERENCE ROOM 128, CITY-COUNTY BUILDING, ONE MAIN STREET, FORT WAYNE, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

- 14 A 20 foot easement lying 10 feet on either side of the following line:
15 Part of Lot Number 69 and part of Lot Number 70 in Centennial Industrial Park, Section X, as recorded in the plat thereof, in the Office of the Recorder of Allen County, Indiana, being more particularly described as follows:
16 Commencing at the North corner of Lot Number 69 and the Southeast corner of Lot Number 70 in Centennial Industrial Park, Section X; thence Southwest along the North line of Lot Number 69 and the South line of Lot Number 70 a distance of 20.0 feet to the true point of beginning; thence Southwest along the North line of Lot Number 69 and the South line of Lot Number 70 a distance of 382.8 feet to a point 20 feet East of the West line of Lot Number 70, said point being the point of termination.

THE PUBLIC IS INVITED TO APPEAR BEFORE COMMON COUNCIL AND EXPRESS THEIR VIEWS. ANYONE WISHING TO SPEAK MAY CALL THE OFFICE OF THE CITY CLERK AT 427-1221.

FORT WAYNE COMMON COUNCIL
SANDRA E. KENNEDY
CITY CLERK

"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH THE STATE AND FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATION" SHOULD NOTIFY PUBLIC INFORMATION OFFICE (219) 427-1120, TTY (219) 427-1200, AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING.

SANDRA E. KENNEDY
CITY CLERK



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

September 26, 1996

Donald Reents, President
Canoga Corp., General Partner
of # & D Enterprises
Chessex Central, Suite
24 Phoenixville Pike
Malvern, Pennsylvania 19355

Dear Sir:

We are sending you this letter to let you know that the City of Fort Wayne Common Council will hold a public hearing on Tuesday, October 8, 1996, 5:30 P.M. Common Council will hold the public hearing in the Common Council Conference Room 128, 1st Floor, City-County Building, on the Calhoun Street side of the building. The following request will be on the agenda for the public hearing.

BILL NO.	G-96-09-24
PROPOSAL:	Utility Easement Vacation
APPLICANT:	E & D Enterprises - Donald Reents, President
REQUEST:	Property will be vacated and revert to the use of the adjacent property owners
REASON:	Utility easement vacation along applicant's property line
LOCATION:	20 foot utility easement located on Part of Lot 69 & Lot 70 in Centennial Industrial Park Section X

We are sending you this notice because you own property which is adjacent to the property included in this vacation request. This public hearing is your opportunity to offer input on the request. If you have any questions about the public hearing, please call the City Clerk's office 427-1221. If you any questions about the vacation request, please call the City Planning Department at 427-1129.

Fort Wayne Common Council

Sandra E. Kennedy
City Clerk



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

September 26, 1996

Dan Votaw
6007 Stellhorn Road
Fort Wayne, Indiana 46815

Dear Sir:

We are sending you this letter to let you know that the City of Fort Wayne Common Council will hold a public hearing on Tuesday, October 8, 1996, 5:30 P.M. Common Council will hold the public hearing in the Common Council Conference Room 128, 1st Floor, City-County Building, on the Calhoun Street side of the building. The following request will be on the agenda for the public hearing.

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Fort Wayne Common Council

Sandra E. Kennedy
City Clerk



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

September 26, 1996

Harding Dahm & Company
Attn: James E. Harding
200 East Main Street
Post Office Box 11448
Fort Wayne, Indiana 46858

Dear Sir:

We are sending you this letter to let you know that the City of Fort Wayne Common Council will hold a public hearing on Tuesday, October 8, 1996, 5:30 P.M. Common Council will hold the public hearing in the Common Council Conference Room 128, 1st Floor, City-County Building, on the Calhoun Street side of the building. The following request will be on the agenda for the public hearing.

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Fort Wayne Common Council

Sandra E. Kennedy
City Clerk

the right of the return address

CERTIFIED

THE CITY OF FORT WAYNE
ONE MAIN STREET
FORT WAYNE, IN 46802-1891



SANDRA E. KENNEDY, CITY CLERK

SEP 26 1996

P 304 164 505

MAIL

RETURN RECEIPT REQUESTED

DAN VOTAW
TMD, LLC
6007 STELLHORN ROAD
FORT WAYNE, IN 46815

RECEIVED
TO
FORT WAYNE
FORWARDING ORDER EXPIRED

UNITED STATES POSTAL SERVICE

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10



- Print your name, address, and ZIP Code in this box •

Office of the City Clerk
Sandra E. Kennedy, City Clerk
Room 122
City-County Bldg.
One Main Street
Fort Wayne, IN 46802

SENDER:

Is your RETURN ADDRESS completed on the reverse side?

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

E & D ENTERPRISES
 DONALD RENNTS, PRESIDENT OF
 CANOGA CORP. GENERAL
 CHESSEX CENTRAL, SUITE 3
 24 PHONEIXVILLE PIKE
 MALVERN, PA 19355

4a. Article Number

P 304 164 504

4b. Service Type

- Registered
 Express Mail
 Return Receipt for Merchandise COD

7. Date of Delivery

6/30/96

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X

Domestic Return Receipt

Thank you for using Return Receipt Service.

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
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- The Return Receipt will show to whom the article was delivered and the date delivered.

1. Addressee's Address2. Restricted Delivery

Consult postmaster for fee.

Thank you for using Return Receipt Service.

- Complete items 1 and/or 2 for additional services.
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1. Addressee's Address2. Restricted Delivery

Consult postmaster for fee.

4a. Article Number
 P 304 164 505

4b. Service Type

- Registered
 Express Mail
 Return Receipt for Merchandise COD

7. Date of Delivery

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

Domestic Return Receipt

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3. Article Addressed to:

DAN VOTAW
 TMD, LLC
 6007 STELLHORN ROAD
 FORT WAYNE, IN 46815

4a. Article Number

P 304 164 505

4b. Service Type

- Certified
 Registered
 Express Mail
 Return Receipt for Merchandise COD

7. Date of Delivery

8. Addressee's Address (Only if requested and fee is paid)

X

PS Form 3811, December 1994



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

September 27, 1996

Dan Votaw
TMD, LLC
6007 Stellhorn Road
Fort Wayne, IN 46815

Dear Sir:

We are sending you this letter to let you know that the City of Fort Wayne Common Council will hold a public hearing on Tuesday, October 8, 1996, at 5:30 P.M. Common Council will hold the public hearing in the Common Council Conference Room 128, 1st Floor, City-County Building, on the Calhoun Street side of the building. The following request will be on the agenda for the public hearing.

BILL NO.:	G-96-09-23
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APPLICANT:	TMD, LLC
REQUEST:	Property will be vacated and revert to the use of the adjacent property owners
REASON:	Utility easement vacation along applicant's property line
LOCATION:	20 foot utility easement located on Part of Lot 70 & 71 in Centennial Industrial Park Section X

We are sending you this notice because you own property which is adjacent to the property included in this vacation request. This public hearing is your opportunity to offer input on the request. If you have any questions about the public hearing, please call the City Clerk's office 427-1221. If you any questions about the vacation request, please call the City Planning Department at 427-1129.

Fort Wayne Common Council
Sandra E. Kennedy
City Clerk

FW COMMON COUNCIL
(Governmental Unit)

To: **The Journal-Gazette** Dr.
P.O. Box 100
Fort Wayne, IN

ALLEN County, Indiana

PUBLISHER'S CLAIM**LINE COUNT**

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines _____

Head -- number of lines _____

Body -- number of lines _____

Tail -- number of lines _____

Total number of lines in notice _____

COMPUTATION OF CHARGES

56 lines, **1** columns wide equals **56** equivalent lines
at **.346** cents per line

\$ **19.38**

Additional charge for notices containing rule or tabular work
(50 percent of above amount) _____

Charge for extra proofs of publication (\$1.00 for each proof in excess of two) _____

1.00

TOTAL AMOUNT OF CLAIM

\$ **20.38**

DATA FOR COMPUTING COST

Width of single column **12.5** ems

Number of insertions **1**

Size of type **6** point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Julie L Smith

Date: **SEPT 28**, 19 **96**

Title: _____ Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)
) ss:
Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned **JULIE L SMITH** who, being duly sworn, says that he/she is **Clerk** of the **The Journal-Gazette** newspaper of general circulation printed and published in the English language in the (city) (town) of **Fort Wayne, IN** in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for **1** time _____, the dates of publication being as follows:

9-28-96

Julie L Smith

Subscribed and sworn to before me this **28th** day of **SEPT**, 19 **96**.

Mary L Schneider
Notary Public

MARY L SCHNEIDER

NOTARY PUBLIC STATE OF INDIANA

ALLEN COUNTY

MY COMMISSION EXP. JUNE 14,1997

By commission expires:

SANDRA E. KENNEDY
CITY CLERK
#281671

FW COMMON COUNCIL

(Governmental Unit)

ALLEN

County, Indiana

To: The News-Sentinel

Dr.

P.O. Box 100

Fort Wayne, IN

PUBLISHER'S CLAIM**LINE COUNT**

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
 -- number of equivalent lines _____

Head -- number of lines _____

Body -- number of lines _____

Tail -- number of lines _____

Total number of lines in notice _____

COMPUTATION OF CHARGES

56 lines, 1 columns wide equals 56 equivalent lines
 at .346 cents per line

\$ 19.38

Additional charge for notices containing rule or tabular work
 (50 percent of above amount) _____

Charge for extra proofs of publication (\$1.00 for each proof in excess of two) _____

1.00**TOTAL AMOUNT OF CLAIM**\$ 20.38**DATA FOR COMPUTING COST**Width of single column 12.5 emsNumber of insertions 1Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: SEPT 28, 19 96

Title:

Clerk

FORT WAYNE COMMON COUNCIL
 NOTICE OF A PUBLIC HEARING
 (Bill No. G-96-09-24)

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON TUESDAY, OCTOBER 8, 1996, AT 5:30 P.M., IN THE COMMON COUNCIL CONFERENCE ROOM 128, CITY-COUNTY BUILDING, ONE MAIN STREET, FORT WAYNE, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 20 foot easement lying 10 feet on either side of the following line:

Part of Lot Number 69 and part of Lot Number 70 in Centennial Industrial Park, Section X, as recorded in the plat thereof, in the Office of the Recorder of Allen County, Indiana, being more particularly described as follows:

Commencing at the North corner of Lot Number 69 and the Southeast corner of Lot Number 70 in Centennial Industrial Park, Section X; thence Southwest along the North line of Lot Number 69 and the South line of Lot Number 70 a distance of 20.0 feet to the true point of beginning, thence Southwest along the North line of Lot Number 69 and the South line of Lot Number 70 a distance of 382.8 feet to a point 20 feet East of the West line of Lot Number 70, said point being the point of termination.

THE PUBLIC IS INVITED TO APPEAR BEFORE COMMON COUNCIL AND EXPRESS THEIR VIEWS. ANYONE WISHING TO SPEAK MAY CALL THE OFFICE OF THE CITY CLERK AT 427-1221.

FORT WAYNE COMMON COUNCIL
 SANDRA E. KENNEDY
 CITY CLERK

REASONABLE ACCOMMODATIONS FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH THE STATE AND FEDERAL LAW. ANY PERSON NEEDING A REASONABLE ACCOMMODATION SHOULD NOTIFY PUBLIC INFORMATION OFFICE (219) 427-1120, TTY (219) 427-1200, AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING.

SANDRA E. KENNEDY
 CITY CLERK
 #281671

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L SMITH who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time , the dates of publication being as follows:

9-28-96Subscribed and sworn to before me this 28th day of SEPT 96, 19 .MARY L SCHNEIDER
 Notary Public

My commission expires: NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY
MY COMMISSION EXP. JUNE 14, 1997